

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GIL CROSTHWAITE, et al.

No. C 10-457 MMC

Plaintiffs,

ORDER RE: AUGUST 23, 2010 LETTER

v.

FOSTER & SONS GENERAL
ENGINEERING CONTRACTORS, INC.,

Defendant.

The Court is in receipt of a letter, sent August 23, 2010, by McCormick Barstow LLP ("McCormick Barstow") on behalf of defendant Foster & Sons General Engineering Contractors, Inc. ("Foster & Sons"). By said correspondence McCormick Barstow asks the Court to deny plaintiffs' request that the hearing noticed for August 27, 2010 on plaintiffs' Amended Motion for Default Judgment ("Motion") be vacated.

At the outset, the Court notes that letter requests do not comply with the Civil Local Rules of this District. See Civil L.R. 7-1, 7-11(b).¹ Moreover, although McCormick Barstow states Foster & Sons disputes the amount of judgment sought, it concedes that no opposition to the Motion was filed. Finally, the Court, by order filed August 24, 2010, prior to the Court's receipt of the letter, has required plaintiffs to supplement their showing as to


¹Further, the Court has been advised by the Clerk of Court that the attorney who signed the letter is not a member of the bar of this District.

1 the claimed amount, and has given plaintiffs the option of either appearing at the hearing or
2 filing supplemental documentation in advance thereof and submitting the matter without a
3 hearing.

4 Accordingly, the Court takes no action on the letter.

5 **IT IS SO ORDERED.**

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7 Dated: August 25, 2010

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9 MAXINE M. CHESNEY
10 United States District Judge
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